

AGENDA

CONNECTICUT STATE BOARD OF CHIROPRACTIC EXAMINERS

**Thursday, July 2, 2009, at 9:00 A.M.
Department of Public Health
410 Capitol Avenue, Hartford, Connecticut
Conference Room F– Second Floor**

CALL TO ORDER

I. MINUTES

Review of the minutes from May 28, 2009.

II. NEW BUSINESS

Connecticut Chiropractic Association request for Declaratory Ruling

III. OLD BUSINESS

Fact-Finding - Manipulation Under Anesthesia

ADJOURN

The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.

The **Connecticut State Board of Chiropractic Examiners** held a meeting on **May 28, 2009** at the Department of Public Health, 410 Capitol Avenue, second floor Conference Room F, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Matthew Scott, DC – Chairman
Michele Imossi, DC
Sean Robotham, DC
Paul Powers, DC

BOARD MEMBERS ABSENT: Marian Terry – Public member
Vincent A. Pacileo – Public Member

ALSO PRESENT: Kristin Kasabucki, Connecticut Chiropractic Association
Mary Alice Moore Leonhardt, Esq.

Dr. Scott called the meeting to order at 9:15 a.m.

I. MINUTES

Dr. Powers made a motion seconded by Dr. Imossi, to approve the minutes from the January 22, 2009. The motion passed unanimously.

II. DEPARTMENT OF PUBLIC HEALTH UPDATES

Investigations Update

Gary Griffin, Investigations Supervisor, reported there are 4 cases under investigation. 5 cases are completed and awaiting action by the DPH legal office.

III. NEW BUSINESS

A. License Reinstatement: David Dube

Ms. Filippone discussed documents as submitted for the reinstatement of Dr. David Dube. The Board reviewed the documents and discussed them. A motion was made by Dr. Powers and seconded by Dr. Imossi to reinstate Dr. Dube's license. The motion passed unanimously.

Ms. Filippone discussed that online license renewal is coming and there is a possibility that online posting of continuing education may occur as well. Will update as this progresses.

B. Correspondence regarding informed consent

A letter from Attorney Rock was reviewed regarding informed consent, particularly pertaining to the issue of Chiropractic Manipulation and stroke. It was reviewed by the Board members. Dr. Kane, a Connecticut license holder reported that there have been no incidents of Chiropractic Manipulation and Stroke in Connecticut in the past 10 years.

The Board also heard from Mary Alice Moore Leonhardt, general counsel for the Connecticut Chiropractic Association, who provided them with information pertaining to this that was published in the journal SPINE as well as discussed facts from NCMIC. She would like to submit an informational packet to the Board and will do so within 1 week.

Dr. Imossi questioned the validity of some of the statements in Attorney Rocks letter. Dr. Powers noted that informed consent is already part of the standard of care.

The Board verified that this issue was in front of the Connecticut Legislature and that it singled out Chiropractic on the issue of informed consent. The bill apparently did not pass according to Kristin Kasabucki from the Connecticut Chiropractic Association.

The Board decided that Dr. Powers would draft a letter to Attorney Rock acknowledging the receipt of his letter and that the Board is aware of this issue and will continue to monitor progress of this issue.

IV. Old Business

A. Manipulation Under Anesthesia

Daniel Shapiro, Assistant Attorney General, reports that he has been instructed not to provide additional feedback to the Board on this issue and that if the Board wanted a formal opinion from the AG office on this, that the Board should submit a request in writing, or, the Board could release a declaratory ruling as they deem appropriate without one.

The Board has been dealing with this issue for over 3 years and has not come to a resolution.

Formal fact-finding had been stopped pending input from the AG office. After extensive discussion, Dr. Powers recommended the Board members schedule a meeting to reconvene on formal fact finding which was approved. The meeting is scheduled for July 2, 2009 at 9 am.

The Board scheduled for August 20, 2009 will be rescheduled to August 27, 2009.

V. ADDITIONAL AGENDA ITEMS

A. Letter from Dr. Einhorn

A letter was received from Dr. Einhorn regarding obtaining a Connecticut Chiropractic license without written examination. Dr. Cherie Sachiel-Flint also appeared at the Board meeting on the same issue.

Jennifer Filippone discussed that initial licensure, by statute, is under the DPH and the Board has no decision making in this area. Dr. Powers reviewed the statute in regard to Licensure without examination and the Board discussed it with Ms. Filippone.

Ms. Filippone and the Board feel that the existing statute is very restrictive and does not take into account years of uninterrupted practice in another state while in good standing with no malpractice or license board complaints. Dr. Sachiel-Flint discussed that other states specifically discuss years of practice.

Ms. Filippone stated that the DPH would look at the look at the Statutes and look at possible revisions related to this issue. It would have to go through policy and management as well as the governor's office. Perhaps multiple endorsements would be appropriate. We will discuss this further at the August meeting.

B. Team Physicians

The issue of team physicians came up where a DC not licensed in CT travels into CT with a sport team to specifically treat them. There is no existing statute for this. Jennifer Filippone will review other professions and provide some possible language for the Board to review at the August meeting for possible submission for and update to the Statute.

VI. ADJOURNMENT

The meeting was adjourned at 10:35 a.m.

Respectfully submitted

Paul Powers, DC

Member

Connecticut State Board of Chiropractic Examiners